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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

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DEMETRIOUS STEWART,

Petitioner,

10 vs.

11 ROBERT LEGRAND, *et al.*,

12 Respondents.

3:13-CV-00210-RCJ-VPC

ORDER

13 This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254,
14 filed by a Nevada state prisoner. On May 17, 2013, this court granted petitioner's motion for counsel
15 and appointed the Federal Public Defender to represent petitioner in this action (ECF #4). On June 19,
16 2013, Ryan Norwood of the Federal Public Defender's Office appeared on behalf of petitioner (ECF #5).
17 Counsel for petitioner also filed an amended petition (ECF #6) and a motion for leave and extension of
18 time to file a second amended petition (ECF #11). Good cause appearing, petitioner's motion is granted.
19 The court now also sets a schedule for further proceedings in this action.

20 **IT IS THEREFORE ORDERED** that counsel for petitioner shall meet with petitioner
21 as soon as reasonably possible, if counsel has not already done so, to: (a) review the procedures
22 applicable in cases under 28 U.S.C. § 2254; (b) discuss and explore with petitioner, as fully as possible,
23 the potential grounds for habeas corpus relief in petitioner's case; and (c) advise petitioner that all
24 possible grounds for habeas corpus relief must be raised at this time in this action and that the failure
25 to do so will likely result in any omitted grounds being barred from future review.

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1 **IT IS FURTHER ORDERED**, so that respondents may be electronically served with
2 the amended petition and any exhibits or documents filed through counsel, that the Clerk of Court
3 **SHALL SERVE** respondents with a copy of this order by certified mail to the Office of the Attorney
4 General, Criminal Division, 100 North Carson St., Carson City, NV 89701-4717. Respondents' counsel
5 **SHALL ENTER** a notice of appearance herein within **twenty (20) days** of entry of this order.

6 **IT IS FURTHER ORDERED** that petitioner's motion for leave and extension of time
7 to file second amended petition (ECF #11) is **GRANTED**. Petitioner shall have **ninety (90) days** from
8 the date of entry of this order, to **FILE AND SERVE** on respondents a second amended petition for writ
9 of habeas corpus, which shall include all known grounds for relief (both exhausted and unexhausted).

10 **IT IS FURTHER ORDERED** that respondents shall have **thirty (30) days** after service
11 of the second amended petition within which to answer, or otherwise respond to, the second amended
12 petition. If petitioner does not file a second amended petition, respondents shall have **thirty (30) days**
13 from the date on which the second amended petition is due within which to answer, or otherwise respond
14 to, petitioner's amended petition (ECF #6).

15 **IT IS FURTHER ORDERED** that if and when respondents file an answer, petitioner
16 shall have **thirty (30) days** after service of the answer to file and serve a reply.

17 **IT FURTHER IS ORDERED** that any state court record exhibits filed by the parties
18 herein shall be filed with an index of exhibits identifying the exhibits by number or letter. The CM/ECF
19 attachments that are filed shall further be identified by the number or numbers (or letter or letters) of the
20 exhibits in the attachment.

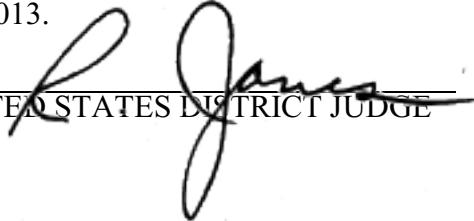
21 **IT IS FURTHER ORDERED** that the parties **SHALL SEND** courtesy (paper) copies
22 of all exhibits presented in support of the second amended petition and the response to the second
23 amended petition to the **Reno** Division of this court. Courtesy copies shall be mailed to the Clerk of
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1 Court, 400 S. Virginia St., Reno, NV, 89501, and directed to the attention of "Staff Attorney" on the
2 outside of the mailing address label. Additionally, in the future, all parties shall provide courtesy copies
3 of any additional exhibits submitted to the court in this case, in the manner described above.

4 Dated this 16th day of September, 2013.

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6 UNITED STATES DISTRICT JUDGE

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